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Attorney Docket No.900.190US1

SCHWEGMAN ■ LUNDBERG ■ WOESSNER ■ KLUTH

## United States Patent Application COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that

I verily believe I am the original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled: **REAL TIME MUSIC RECOGNITION AND DISPLAY SYSTEM**.

The specification of which was filed on July 16, 2003 as application serial no. 10/622,083.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with 37 C.F.R. § 1.56 (attached hereto). I also acknowledge my duty to disclose all information known to be material to patentability which became available between a filing date of a prior application and the national or PCT international filing date in the event this is a Continuation-In-Part application in accordance with 37 C.F.R. § 1.63(e).

I hereby claim foreign priority benefits under 35 U.S.C. §119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on the basis of which priority is claimed:

**No such claim for priority is being made at this time.**

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

**No such claim for priority is being made at this time.**

I hereby claim the benefit under 35 U.S.C. § 120 or 365(c) of any United States and PCT international application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose material information as defined in 37 C.F.R. § 1.56(a) which became available between the filing date of the prior application and the national or PCT international filing date of this application:

**No such claim for priority is being made at this time.**

Attorney Docket No.: 900.190US1  
 Serial No. 10/622083  
 Filing Date: July 16, 2003

Page 2 of 4

I hereby appoint the following attorney(s) and/or patent agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

|                     |                 |                               |                 |                       |                 |
|---------------------|-----------------|-------------------------------|-----------------|-----------------------|-----------------|
| Anglin, J. Michael  | Reg. No. 24,916 | Greaves, John N.              | Reg. No. 40,362 | Nielsen, Walter W.    | Reg. No. 25,539 |
| Arora, Suneel       | Reg. No. 42,267 | Harris, Robert J.             | Reg. No. 37,346 | Padys, Danny J.       | Reg. No. 35,635 |
| Beekman, Marvin L.  | Reg. No. 38,377 | Jackson Huebsch, Katharine A. | Reg. No. 47,670 | Parker, J. K.         | Reg. No. 33,024 |
| Bianchi, Timothy E. | Reg. No. 39,610 | Jurkovich, Patti J.           | Reg. No. 44,813 | Peacock, Gregg A.     | Reg. No. 45,001 |
| Billion, Richard E. | Reg. No. 32,836 | Kalis, Janal M.               | Reg. No. 37,650 | Perdok, Monique M.    | Reg. No. 42,989 |
| Black, David W.     | Reg. No. 42,331 | Klima-Silberg, Catherine I.   | Reg. No. 40,052 | Peret, Andrew R.      | Reg. No. 41,246 |
| Brennan, Thomas F.  | Reg. No. 35,075 | Kluth, Daniel J.              | Reg. No. 32,146 | Peterson, David C.    | Reg. No. 47,857 |
| Chadwick, Robin A.  | Reg. No. 36,477 | Lacy, Rodney L.               | Reg. No. 41,136 | Prout, William F.     | Reg. No. 33,995 |
| Clark, Barbara J.   | Reg. No. 38,107 | Lundberg, Steven W.           | Reg. No. 30,568 | Schumm, Sherry W.     | Reg. No. 39,422 |
| Clise, Timothy B.   | Reg. No. 40,957 | Maki, Peter C.                | Reg. No. 42,832 | Schwegman, Micheal L. | Reg. No. 25,816 |
| Cochran, David R.   | Reg. No. 46,632 | Malen, Peter L.               | Reg. No. 44,894 | Speier, Gary J.       | Reg. No. 45,458 |
| Dahl, John M.       | Reg. No. 44,639 | Mates, Robert E.              | Reg. No. 35,271 | Steffey, Charles E.   | Reg. No. 25,179 |
| DeLizio, Andrew     | Reg. No. 52,806 | McCrackin, Ann M.             | Reg. No. 42,858 | Tong, Viet V.         | Reg. No. 45,416 |
| Drake, Eduardo E.   | Reg. No. 40,594 | Mehrle, Joseph P.             | Reg. No. 45,535 | Viksnins, Ann S.      | Reg. No. 37,748 |
| Embreton, Janet E.  | Reg. No. 39,665 | Muller, Mark V.               | Reg. No. 37,509 | Woessner, Warren D.   | Reg. No. 30,440 |
| Forrest, Bradley A. | Reg. No. 30,837 | Nama, Prakash                 | Reg. No. 44,255 |                       |                 |

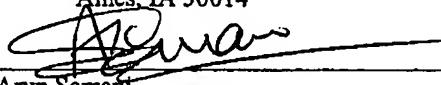
I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/organization/who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct Schwegman, Lundberg, Woessner & Kluth, P.A. to the contrary. Please direct all correspondence in this case to Schwegman, Lundberg, Woessner & Kluth, P.A. at the address indicated below:

P.O. Box 2938, Minneapolis, MN 55402  
 Telephone No. (612)373-6900

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of joint inventor number 1 : Arun Soman  
 Citizenship: United States of America  
 Post Office Address: 2445 Ridgetop Cir 50014  
 Ames, IA 50014

Residence: Ames, IA

Signature: 

Arun Soman

Date: 12/10/03

Additional inventors are being named on separately numbered sheets, attached hereto.

Attorney Docket No.: 900.190US1  
Serial No. 10/622083  
Filing Date: July 16, 2003

Page 3 of 4

Full Name of joint inventor number 2 : Wu Tao

Citizenship: China

Residence: Ames, IA

Post Office Address:  
Room 128H  
University Village  
Ames, IA 50010

Signature: Wu Tao  
Wu Tao

Date: Dec 26<sup>th</sup>, 2003

Full Name of joint inventor number 3 : Raed Adhami

Citizenship: Lebanon

Residence: Ames, IA

Post Office Address:  
721 Crawford Avenue  
Ames, IA 50010

Signature: \_\_\_\_\_  
Raed Adhami

Date: \_\_\_\_\_

Full Name of joint inventor number 4 : Liang Zhao

Citizenship: China

Residence: Greenbelt, MD

Post Office Address:  
6122 Breezewood Drive #303  
Greenbelt, MD 20770

Signature: \_\_\_\_\_  
Liang Zhao

Date: \_\_\_\_\_

Full Name of joint inventor number 5 : Anil Sahai

Citizenship:

United States of America

Residence: Webster City, IA

Post Office Address:  
709 White Post Road  
Webster City, IA 50010

Signature: \_\_\_\_\_  
Anil Sahai

Date: \_\_\_\_\_

Attorney Docket No.: 900.190US1  
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Page 3 of 4

Full Name of joint inventor number 2 : Wu Tao  
Citizenship: China Residence: Ames, IA  
Post Office Address: Room 128H  
University Village  
Ames, IA 50010

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Wu Tao

Full Name of joint inventor number 3 : Raed Adhami  
Citizenship: Lebanon Residence: Ames, IA  
Post Office Address: 721 Crawford Avenue  
Ames, IA 50010

Signature: Raed Adhami Date: 12-16-03

Full Name of joint inventor number 4 : Liang Zhao  
Citizenship: China Residence: Greenbelt, MD  
Post Office Address: 6122 Breezewood Drive #303  
Greenbelt, MD 20770

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Liang Zhao

Full Name of joint inventor number 5 : Anil Sahai  
Citizenship: United States of America Residence: Webster City, IA  
Post Office Address: 709 White Post Road  
Webster City, IA 50010

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Anil Sahai

Attorney Docket No.: 900.190US1  
Serial No. 10/622083  
Filing Date: July 16, 2003

Page 3 of 4

Full Name of joint inventor number 2 : Wu Tao

Citizenship: China

Post Office Address: Room 128H  
University Village  
Ames, IA 50010

Residence: Ames, IA

Signature: \_\_\_\_\_  
Wu Tao

Date: \_\_\_\_\_

Full Name of joint inventor number 3 : Raed Adhami

Citizenship: Lebanon

Post Office Address: 721 Crawford Avenue  
Ames, IA 50010

Residence: Ames, IA

Signature: \_\_\_\_\_  
Raed Adhami

Date: \_\_\_\_\_

Full Name of joint inventor number 4 : Liang Zhao

Citizenship: China

Post Office Address: 6122 Breezewood Drive #303  
Greenbelt, MD 20770

College Park

Residence: Greenbelt, MD

6100 Westchester Park Dr. #512  
College Park, MD 20740

12.16.03

Signature: \_\_\_\_\_  
Liang Zhao

Date: Dec. 16, 2003

Full Name of joint inventor number 5 : Anil Sahai

Citizenship:

Post Office Address: United States of America  
709 White Post Road  
Webster City, IA 50010

Residence: Webster City, IA

Signature: \_\_\_\_\_  
Anil Sahai

Date: \_\_\_\_\_

Attorney Docket No.: 900190US1  
Serial No. 10/622083  
Filing Date: July 16, 2003

Page 4 of 4

§ 1.56 Duty to disclose information material to patentability.

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

- (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

- (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
- (2) It refutes, or is inconsistent with, a position the applicant takes in:
  - (i) Opposing an argument of unpatentability relied on by the Office, or
  - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

(c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

- (1) Each inventor named in the application;
- (2) Each attorney or agent who prepares or prosecutes the application; and
- (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.



FEB. 24. 2004 9:33AM IMD INC.  
02/24/04 LP:38 512-81613934# L

SCHWEGMAN, LUNDBERG, WOES

NO. 020 P. 2102/005

Attorney Docket No. 900.190US)

SCHWEGMAN ■ LINDBERG ■ WOESSNER ■ KLUTH

**United States Patent Application**  
**COMBINED DECLARATION AND POWER OF ATTORNEY**

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No such claim for priority is being made at this time.

Attorney Docket No.: 900.190US1  
 Serial No. 10/622083  
 Filing Date: July 16, 2003

Page 2 of 4

I hereby appoint the following attorney(s) and/or patent agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith:

|  |   |   |   |  |   |
|--|---|---|---|--|---|
| Anglin, J. Michael<br>Arora, Sunee<br>Beekman, Marvin L.<br>Bianchi, Timothy E.<br>Billion, Richard E.<br>Black, David W.<br>Brennan, Thomas F.<br>Cladwick, Robin A.<br>Clark, Barbara J.<br>Cline, Timothy B.<br>Cochran, David R.<br>Dahl, John M.<br>DeLizio, Andrew<br>Drake, Eduardo E.<br>Embretson, Janet E.<br>Forrest, Bradley A.<br>Gottlie, Gregory J. | Reg. No. 24,916<br>Reg. No. 42,267<br>Reg. No. 38,377<br>Reg. No. 39,610<br>Reg. No. 32,836<br>Reg. No. 42,331<br>Reg. No. 35,075<br>Reg. No. 36,477<br>Reg. No. 38,107<br>Reg. No. 40,957<br>Reg. No. 46,632<br>Reg. No. 44,639<br>Reg. No. 52,806<br>Reg. No. 40,594<br>Reg. No. 39,665<br>Reg. No. 30,637<br>Reg. No. 36,530 | Greaves, John N.<br>Harris, Robert J.<br>Jackson Huebsch, Katharine A.<br>Jurkovich, Patti J.<br>Kalis, Janal M.<br>Klirma-Silberg, Catherine I.<br>Kluth, Daniel J.<br>Lacy, Rodney L.<br>Lundberg, Steven W.<br>Maki, Peter C.<br>Malen, Peter L.<br>Mates, Robert E.<br>McCrackin, Ann M.<br>Mehrle, Joseph P.<br>Muller, Mark V.<br>Nama, Prakash<br>Nelson, A. James | Reg. No. 40,362<br>Reg. No. 37,346<br>Reg. No. 47,670<br>Reg. No. 44,813<br>Reg. No. 37,650<br>Reg. No. 40,052<br>Reg. No. 32,146<br>Reg. No. 41,136<br>Reg. No. 30,568<br>Reg. No. 42,632<br>Reg. No. 44,894<br>Reg. No. 35,271<br>Reg. No. 42,838<br>Reg. No. 45,535<br>Reg. No. 37,509<br>Reg. No. 44,253<br>Reg. No. 28,650 | Nielsen, Walter W.<br>Padys, Dummy I.<br>Parker, J. K.<br>Peacock, Gregg A.<br>Perdok, Monique M.<br>Peret, Andrew R.<br>Peterson, David C.<br>Prout, William F.<br>Schumm, Sherry W.<br>Schwegman, Micheal L.<br>Speier, Gary J.<br>Steffey, Charles E.<br>Tong, Viet V.<br>Viksnins, Ann S.<br>Woessner, Warren D. | Reg. No. 25,539<br>Reg. No. 35,635<br>Reg. No. 33,024<br>Reg. No. 45,001<br>Reg. No. 42,989<br>Reg. No. 41,246<br>Reg. No. 47,857<br>Reg. No. 33,995<br>Reg. No. 39,422<br>Reg. No. 25,816<br>Reg. No. 45,458<br>Reg. No. 25,179<br>Reg. No. 45,416<br>Reg. No. 37,748<br>Reg. No. 30,440 |
|--|---|---|---|--|---|

I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/organization/who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct Schwegman, Lundberg, Woessner & Kluth, P.A. to the contrary. Please direct all correspondence in this case to Schwegman, Lundberg, Woessner & Kluth, P.A. at the address indicated below:

P.O. Box 2938, Minneapolis, MN 55402  
 Telephone No. (612)373-6900

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of joint inventor number 1: Arun Soman  
 Citizenship: United States of America  
 Post Office Address: 2445 Ridgeway Cir 50014 Ames, IA 50014

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
 Arun Soman

Additional inventors are being named on separately numbered sheets, attached hereto.

Attorney Docket No.: 900,190US1  
Serial No. 10/622083  
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Page 3 of 4

Full Name of joint inventor number 2 : Wu Tao Residence: Ames, IA  
Citizenship: China  
Post Office Address: Room 128H  
University Village  
Ames, IA 50010

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Wu Tao

Full Name of joint inventor number 3 : Raed Adhami Residence: Ames, IA  
Citizenship: Lebanon  
Post Office Address: 721 Crawford Avenue  
Ames, IA 50010

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Raed Adhami

Full Name of joint inventor number 4 : Liang Zhao Residence: Greenbelt, MD  
Citizenship: China  
Post Office Address: 6122 Breezewood Drive #303  
Greenbelt, MD 20770

Signature: \_\_\_\_\_ Date: \_\_\_\_\_  
Liang Zhao

Full Name of joint inventor number 5 : Anil Sahai *15/12/04* Residence: Webster City, IA  
Citizenship: United States of America  
Post Office Address: 709 White Post Road Drive  
Webster City, IA 50010 50595

Signature: Anil Sahai Date: Feb 25, 2004  
Anil Sahai

Attorney Docket No.: 900.190US1  
Serial No. 10/622083  
Filing Date: July 16, 2003

Page 4 of 4

**§ 1.56 Duty to disclose information material to patentability.**

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

- (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

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- (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
- (2) It refutes, or is inconsistent with, a position the applicant takes in:
  - (i) Opposing an argument of unpatentability relied on by the Office, or
  - (ii) Asserting an argument of patentability.

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(c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

- (1) Each inventor named in the application;
- (2) Each attorney or agent who prepares or prosecutes the application; and
- (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.